

Appendix B: Non-Timber - Significant

Disclaimer: Portions of this report were not available in their final electronic version. In some cases, missing sections were scanned. In other cases, modified draft versions, which look slightly different from the original print versions, were substituted. Although the formatting may look different from the print version of this report, in no case were the data changed in any way.

Appendix B

Significant Non-Timber Activities

Conducted from July 1, 1998

through June 30, 1999

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OVERVIEW: All new non-timber management activities, subject to HCP planning, were required to be in compliance with the HCP beginning January 1, 1999. Annual HCP reporting requirements include identifying non-timber activities that occurred that were significant or habitat altering events. Preliminary information for the six-month reporting period indicates that few, if any, non-timber activities were potential significant habitat altering activities.

The HCP/IA required data reporting process will be developed and implemented for the FY2000 Annual HCP Report to the Services. The Annual Services/DNR HCP Meeting, November 17, 1999, addressed this delayed schedule for completing the non-timber reporting documentation process. The Services agreed that a six-month adjustment to the required schedule was acceptable. Therefore, the FY2000 Annual HCP Report to the Services will contain detailed data in Appendix B.

BACKGROUND: Non-timber management activities that are permitted within the HCP-covered forest lands are identified in the chart in Chapter 3. The Chapter 3 chart enumerates all HCP non-timber management activities for 1996 and for the FY99 reporting period.

Existing Activities: When the HCP was negotiated with the Services, the parties identified the non-timber activities that historically occur on DNR-managed forest lands. Additionally, the parties identified the likely level of impacts to the forest resources that occurred, at that time, as a result of those activities. The existing, previously permitted non-timber activities were allowed to continue after approval of the HCP. That level of impacts is referred to as the baseline level and is considered to be the *de minimus* level.

Future Activities: The Department agreed that non-timber renewal agreements or new non-timber activities will include HCP commitments. The Department further agreed that reasonable efforts will be made to re-locate pre-existing activities, when feasible, to areas with fewer resource impacts. Recreation sites in riparian areas, managed under long-term lease agreements with the Interagency Committee, or DNR stream-side trails are in this category.

BASELINE LEVEL: At the 1996 level of non-timber activities, the Services determined that no take or an insignificant (i.e. *de minimus*) level of "take" occurred. The existing activities constituted the 1996 baseline non-timber level. Therefore, the "footprints" of non-timber management activities existing in 1996 are allowed under the HCP agreement. Each Annual HCP Report includes a listing of all non-timber program activities compared to the baseline 1996 level. If the level of impacts
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increases for a non-timber program, to the extent that incidental take increases, the parties agree to initiate the HCP amendment process. Details of this condition are addressed in the Implementation Agreement, section 16.2b.

SIGNIFICANT REPORTABLE NON-TIMBER ACTIVITIES:

Appendix B: When new non-timber activities are permitted, they may have the potential to result in adverse habitat alterations that could cause incidental take if not appropriately mitigated. The Implementation Agreement with the Services includes a requirement to report non-timber management activities that could cause potential habitat alterations that could result in incidental take. These activities are documented in each ANNUAL REPORT, in Appendix B.

In compliance with approved agreements, each new significant reportable non-timber activity will be identified by activity type, acres impacted or miles impacted, legal description and applicable Forest Practices Application number or Hydraulics Permit number.

Re-locations: The Department is committed to minimizing the occurrence of new and existing habitat-altering activities. Approved pre-HCP locations, such as stream-side campsites or trails, are allowed. DNR is committed to re-locating or de-commissioning stream-side activities to the extent possible, over time. Some leases for recreational uses are long-term, and may not be candidates for re-location. The Department will work with the lease-holder to minimize habitat impacts where possible.

FUTURE REPORTS: During the FY2000 period the Department will finalize the Non-Timber Documentation and Reporting process. Future Significant Non-Timber Activities will be itemized in Appendix B, consistent with the approved implementation documentation and reporting process.

FY1999 RESULTS: Review of the FY1999 non-timber activities indicates that new activities are usually for short-term non-habitat altering projects, or are for non-significant activities, such as:

- 1) short-use permits for photographic work, e.g. Eddie Bauer catalogue, and
- 2) short-term use of an existing environmental camp facility.

Traditional DNR non-timber management activities and leases are usually,

- 1) not habitat altering activities,
- 2) denied because they are potential habitat altering activities,
- 3) or pre-exist the HCP adoption and will be re-newed only in compliance with the HCP.

CONCLUSIONS: The Department has refused to issue some short-term permits that could result in adverse impacts in the riparian areas, even when those have been traditional approved events on DNR lands. This includes some public use events. Unapproved public uses of the forests are the most challenging activities for the Department to manage and prevent. The Department is actively trying to resolve public use problems through gate closures or road de-commissionings. As the urban and suburban population expansion continues, DNR forests are subject to increased public use and unfortunately, public abuse.